

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE
NORTHERN CALIFORNIA SHEET METAL
WORKERS HEALTH CARE PLAN,

No. C-06-2291 MMC

ORDER OF DISMISSAL

Plaintiff,

v.

ATS PRODUCTS, INC.,

Defendant.

The Court having been advised that the parties have agreed to a settlement of the above-titled action,

IT IS HEREBY ORDERED that said action be dismissed without prejudice; provided, however, that if any party hereto shall certify to this Court, within ninety days, with proof of service of a copy thereof on opposing counsel, that the agreed consideration for the settlement has not been delivered, the foregoing order shall stand vacated and the action shall forthwith be restored to the calendar to be set for trial.

IT IS SO ORDERED.

Dated: August 31, 2006

Maxine M. Chesney
MAXINE M. CHESNEY
United States District Judge